

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

10 JIMMY J. McAfee, an individual; MONA ) Case No.: 11-cv-00821-LHK  
11 SUTHERLAND, an individual; JAYNA )  
12 SUTHERLAND, an individual, ) ORDER GRANTING DEFENDANT  
13 Plaintiffs, ) NEPTUNE'S ACCOUNT, LLC'S  
14 v. ) MOTION TO QUASH SERVICE OF  
15 THOMAS FRANCIS, an individual; WENDELL ) SUMMONS AND COMPLAINT AND  
16 SPELL, an individual; NORTH GEORGIA ) FOR DISMISSAL OF ACTION FOR  
17 EQUIPMENT SALES LLC; CORNERSTONE ) LACK OF PERSONAL JURISDICTION  
18 INTERNATIONAL INVESTMENTS LLC; ) (re: dkt #37)  
19 NEPTUNE'S ACCOUNT LLC; and DOES 1- )  
100, )  
Defendants. )  
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21 Before the Court is Defendant Neptune's Account LLC's ("Neptune") motion to quash  
22 service of summons and Plaintiff's First Amended Complaint and to dismiss the action for lack of  
23 personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2) ("Motion to Dismiss").  
24 See ECF No. 37. On February 16, 2012, Plaintiff filed a Statement of Non-Opposition to  
25 Neptune's Motion to Dismiss, requesting that the case against Neptune be dismissed. ECF No. 57.  
26 Accordingly, the March 1, 2012 hearing on Neptune's Motion to Dismiss is VACATED, pursuant  
27 to Civil Local Rule 7-1(d), and Neptune's Motion to Dismiss is GRANTED. In light of this Order,  
28 the parties' stipulation to continue the March 1, 2012 hearing on Neptune's Motion to Dismiss and

1 the March 1, 2012 case management conference is DENIED as moot. The March 1, 2012 case  
2 management conference remains as set for all parties that remain in the action.

3 **IT IS SO ORDERED.**

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5 Dated: February 21, 2012  
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*Lucy H. Koh*

LUCY H. KOH  
United States District Judge